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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:  
☐ DUPLICATE

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.  
of Prior Application

R00206US (90568)

First Named Inventor

A. Fellingner

Examiner Name

S. Luong

Group Art Unit

3728

Express Mail Label No.

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09 / 308,408  
filed on June 28, 1999 entitled STORAGE DEVICE FOR MEDICAL SWABS

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☒ Enter the unentered amendment previously filed on January 26, 2001  
under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:  
.....
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: [Address]

10/10/97

11/21/96

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.18(c) or (d))		6 -20 <sup>00</sup> =	0	x \$ 18.00 =	\$ 0
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (f))		2 -3 <sup>00</sup> =	0	x \$ 78.00 =	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ _____ =	
				BASIC FEE (37 CFR 1.16)	710.00
				Total of above Calculations =	710.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				TOTAL =	\$710.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27. any additional
7. The Commissioner is hereby authorized to credit overpayments or charge, ~~overpayments~~ fees to  
Deposit Account No. 08 - 2441:
- a. ☐ Fees required under 37 CFR 1.16.
- b. ☐ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
9. ☒ Payment by credit card. Form PTO-2038 is attached. (\$710.00)
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months  
(not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☒ New Attorney Docket Number, if desired RO0206US.CPA  
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)
12. a. ☒ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☒ Other: Petition & Fee for Extension of Time

**NOTE:**

The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

**14. NEW CORRESPONDENCE ADDRESS**
☐ Customer Number or Bar Code Label

 or ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name: (Print/Type)

D. Peter Hochberg

Signature

Registration No. (Attorney/Agent)

24.603

Date

March 22, 2001

3/22/01

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted  
to the Patent and Trademark Office on the date shown below:

To Fax No. (703) 305-3579  
Attention: Shian Luong

Date: March 22, 2001By: Karen Cox**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	RO0206 (#90568)
Inventor	:	A. Fellingner
Serial No.	:	09/308,408
Filing Date	:	June 28, 1999
Examiner	:	S. Luong
Group Art Unit	:	3728
Title	:	Storage Device for Medical Swabs

**FAX RECEIVED**

MAR 22 2001

**GROUP 3700**

Box CPA  
Assistant Commissioner for Patents  
Washington D.C., 20231

**PRELIMINARY AMENDMENT**

Dear Sir:

In response to the Advisory Action dated February 1, 2001, please amend the  
above-identified application prior to its application, without prejudice, as follows:

**IN THE CLAIMS**

16. (Thrice Amended) Storage device for medical swabs consisting essentially of  
an envelope for medical swabs which is formed by a flexible base layer and a flexible  
cover layer between which are provided adjacently disposed chambers whose size is  
determined by the number and size of swabs to be stored, wherein the flexible base layer  
and the flexible cover layer are integrally joined in areas between the chambers, the